In addition, the Wartime Parity and Justice Act of 2003 provides relief to Japanese Americans confined in this country but who never received redress under the Civil Liberties Act of 1988 given technicalities in the original law. Our laws must always establish justice. They should never deny it. That is why these provisions ensure that every American who suffered the same injustices will receive the same justice. Finally, my legislation will reauthorize the educational mandate in the 1988 Act which was never fulfilled. This will etch this chapter of our nation's history into our national conscience for generations to come as a reminder never to repeat it again.

Mr. Speaker, let us renew our resolve to build a better future for our community as we dedicate ourselves to remembering how we compromised liberty in the past. Doing so will help us to guard it more closely in the future. As we commemorate the Day of Remembrance, I look forward to working with my colleagues to pass the Wartime Parity and Justice Act of 2003.

WESTERN ENVIRONMENTAL TECHNOLOGY OFFICE

HON. DENNIS R. REHBERG

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 13, 2003

Mr. REHBERG. Mr. Speaker, I rise to call the attention of Members of the House to critical federal programs conducted at the Western Environmental Technology Office, or WETO, located in Butte, Montana. These programs involving the National Energy Technology Laboratory are funded under Energy and Water Development Appropriations.

First, I want to commend Chairman HOBSON and Ranking Member VISCLOSKY, and the members of the House Appropriations Subcommittee on Energy and Water Development, for their action to restore over $11 million in funds that were eliminated from the FY 2003 budget for the U.S. Department of Energy's Office of Science and Technology, within the Environmental Management program. The Office of Science and Technology has a critical mission in providing cost effective technology to clean up contaminated federal property across the country, and it deserves the strong support of the Congress.

I continue to be very concerned, however, about the likely adverse effects of proposed Office of Science and Technology cutbacks on our nation's ability to perform cost effective and timely remediation of the DOE's contaminated sites around the country.

More specifically, I am concerned about the continuation of the important work of DOE's Western Environmental Technology Office. At the WETO facility, the National Energy Technology Laboratory provides critical support to DOE's Office of Science and Technology. Their activities help facilitate DOE's demonstration, evaluation and implementation of technologies that promise to provide much-needed solutions to the environmental cleanup challenges at various DOE sites.

DOE's Research and Development contract for the Western Environmental Technology Office, originally awarded in FY 1997, has been extended through the end of FY 2004.

That contract extension provided that DOE would fund WETO at the following levels: $6 million in FY 2002, $6 million in FY 2003, and $4 million in FY 2004. However, in FY 2002 WETO received only $5 million, $1 million short of the DOE's contractual obligation.

It is critically important to preserve this commitment to WETO and continue funding on schedule at a rate that will account for last year's shortfall.

I would add that the operations and activities of WETO are very important to the economy in Montana. Many professionals have chosen western Montana as their home while they serve our nation's challenge to clean up contaminated DOE sites.

Mr. Speaker, I would submit to my colleagues that when the Department of Energy makes contracts for multi-year programs in such important areas as WETO, where the Department's Science and Technology Office is developing and implementing technologies to remediate contaminated federal sites, these agreements must be honored.

UPON THE INTRODUCTION OF THE MORRIS K. UDALL ARCTIC WILDERNESS ACT OF 2003

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 13, 2003

Mr. MARKEY. Mr. Speaker, we are here to introduce legislation that would permanently protect the Coastal Plain of the Arctic Refuge from development. The Morris K. Udall Wilderness Act of 2003 honors an extraordinary environmentalist by protecting, in his name, this extraordinary piece of America's wilderness. And we are proud of the fact that begin this battle in the 108th Congress with more original cosponsors than in any other previous Congress—133 upon introduction—a testament to the growing national demand to keep the developers out of this precious wilderness and to preserve it in its current pristine, roadless condition for future generations of Americans.

We have a bipartisan legacy to protect, and we take it very seriously. It is a legacy of Republican President Eisenhower, who set aside the core of the Refuge in 1960. It is a legacy of Democratic President Carter, who expanded it in 1980. It is the legacy of Republican Senator Bill Roth and Democratic Representative Bruce Vento and especially Morris Udall, who fought so hard to achieve what we propose today, and twice succeeded in shepherding this wilderness proposal through the House. Now is the time to finish the job they began now is the time to say ''Yes'' to setting aside the Coastal Plain as a fully protected unit of the Wilderness Preservation System.

The coastal plain of the Refuge is the biological heart of the Refuge ecosystem and critical to the survival of caribou, polar bears and over 160 species of birds. When you drill in the heart, every other part of the biological system suffers.

This Valentine's Day, the oil industry is in a state of lobbying frenzy to give Cupid a bad name. It wants to pierce the heart of the Arctic Refuge with oil wells and drill bits, all the while calling this an act of environmental friendliness. The industry loves the Refuge so much that it wants to brand it with scars for a lifetime.

Turning the Coastal Plain of the Arctic Refuge into an industrial footprint would not only be bad environmental policy, it is totally unnecessary. According to EPA scientists, if cars, mini-vans, and SUV's improved their average fuel economy just 3 miles per gallon, we would save more oil within ten years than would ever be produced from the Refuge. Can we do that? We already did it once! In 1987, the fleetwide average fuel economy topped 26 miles per gallon, but in the last 13 years, we have slipped back to 24 mpg on average, a level we first reached in 1981! Simply using existing technology will allow us to dramatically increase fuel economy, not just by 3 mpg, but by 15 mpg or more—five times the amount the industry wants to drill out of the Refuge.

Our dependence on foreign oil is real, but we cannot escape it by drilling for oil in the United States. We consume 25 percent of the world's oil but control only 3 percent of the world's reserves. 76 percent of those reserves are in OPEC, so we will continue to look to foreign suppliers as long as we continue to ignore the fuel economy of our cars and as long as we continue to fuel them with gasoline.

The public senses that a drill-in-the-Refuge energy strategy is a loser. Why sacrifice something that can never be re-created this one-of-a-kind wilderness simply to avoid something relatively painless—sensible fuel economy?

Is it any wonder its credibility with the American public has sunk to new lows? According to poll after poll after poll, preserving this public environmental treasure far outweighs the value of developing it. The latest poll, done by Democratic pollster Celinda Lake and Republican pollster Christine Matthews, shows a margin of 62–30 percent opposed to drilling for oil in the refuge. The public is making clear to Congress that other options should be pursued, not just because the Refuge is so special, but because the other options will succeed where continuing to put a polluting fuel in gas-guzzling automobiles is a recipe for failure.

That's the kind of thinking that leads not just to this refuge, but to every other pristine wilderness area, in a desperate search for yet another drop of oil. And it perpetuates a head-in-the-haze attitude towards polluting our atmosphere with greenhouse gases and continuing our reliance on OPEC oil for the foreseeable future.

If we allow drilling in the Arctic Refuge, we will have failed twice—we will remain just as dependent on oil for our energy future, and we will have hastened the demise of an irreplaceable wildlife habitat.

We have many choices to make regarding our energy future, but we have very few choices when it comes to industrial pressures on incomparable natural wonders. Let us be clear with the American people that there are places that are so special for their environmental, wilderness or recreational value that we simply will not drill there as long as alternatives exist. The Arctic Refuge is federal land that was set aside for all the people of the United States. It does not belong to the oil companies, it does not belong to one state. It is a public wilderness treasure, we are the trustees.

We do not dam Yosemite Valley for hydropower.

We do not strip mine Yellowstone for coal.

And we should not drill for oil and gas in the Arctic Refuge.

We should preserve it, instead, as the magnificent wilderness it has always been, and must always be.

HONORING RICHARD COWAN FOR HIS CONTRIBUTIONS TO LEGAL ASSISTANCE FOR SENIORS

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 13, 2003

Mr. STARK. Mr. Speaker, I rise today to honor the accomplishments of Richard Cowan, Executive Director of Legal Assistance for Seniors (LAS) and its well-known Health Insurance Counseling and Advocacy Program (HICAP). HICAP's health insurance counseling program provides the local assistance seniors need to make sure Medicare works for them.

With a leadership style of humor and compassion, Richard Cowan has steered LAS and HICAP through a major growth in services, outreach, and budget during his nine-year tenure as Executive Director. The agency's size has quadrupled under Cowan's leadership, and the legal staff has increased from six attorneys to thirteen.

Richard Cowan worked to develop Healthy Seniors, a program that unites the work of LAS and HICAP, and he led the Senior Immigrant Legal Services Project. He advocated for the Elder Abuse Prevention and Grandparent/Kin Caregiver programs and strengthened the agency's ties throughout Alameda County's senior, social services, health, and legal networks.

He spearheaded development of several LAS newsletters, and expanded LAS's funding resources to include over 30 major individual donors and firm contributors. Also, Cowan oversaw the hiring of a diverse LAS staff, which has the capability to assist clients in eight languages. He was a founding member of Alameda County Senior Services Coalition and Save Oakland Seniors, two groups dedicated to advocating for increased senior services.

Prior to joining LAS, Richard Cowan was Executive Director of the Conciliation Forums of Oakland, a citywide dispute resolution center, for six years, and interim Executive Director of the Volunteer Centers of Alameda County for one year. He earned his Bachelor of Arts, Master of Arts, and Masters of Public Health degrees from the University of California, Berkeley.

I am honored to join the colleagues of Richard Cowan in commending him for his years of exemplary leadership at Legal Assistance for Seniors. I have great respect for the work of Mr. Cowan and this organization. Under his direction, Legal Assistance for Seniors has become a program that should be modeled nationwide.

SPECIAL ORDER: CHENEY TASK FORCE RECORDS AND GAO AUTHORITY

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 13, 2003

Mr. WAXMAN. Mr. Speaker, last Friday, February 7, the General Accounting Office abandoned its efforts to obtain basic records about the operations of the White House task force on energy policy. This action received only limited attention, and few people fully understand its profound consequences.

When we have divided government, the public can expect Congress to conduct needed oversight over the Executive Branch. But today we are living in an era of one-party control. This means the House and the Senate aren't going to conduct meaningful oversight of the Bush Administration.

When there is one-party control of both the White House and Congress, there is only one entity that can hold the Administration accountable . . . and that is the independent General Accounting Office.

But now GAO has been forced to surrender this fundamental independence.

When GAO decided not to appeal the district court decision in Walker v. Cheney, it crossed a divide. In the Comptroller General's words, GAO will now require ''an affirmative statement of support from at least one full committee with jurisdiction over any records access matter prior to any future court action by GAO.''

Translated, what this means is that GAO will bring future actions to enforce its rights to documents only with the blessing of the majority party in Congress.

This is a fundamental shift in our systems of check and balances. For all practical purposes, the Bush Administration is now immune from effective oversight by any body in Congress.

Some people say GAO should never have brought legal action to obtain information about the energy task force headed by Vice President Cheney. But in reality, GAO had no choice.

The Bush Administration's penchant for secrecy has been demonstrated time and again. The Department of Justice has issued a directive curtailing public access to information under the Freedom of Information Act. The White House has restricted access to presidential records. The Administration has refused to provide information about the identity of over 1,000 individuals detained in the name of homeland security.

The White House deliberately picked this fight with GAO because it wants to run the government in secret.

GAO's efforts to obtain information about the Cheney task force began with a routine request. The task force was formed in January 2001 to make recommendations about the nation's energy future. During the course of the task force's deliberations, the press reported that major campaign contributors had special access to the task force while environmental organizations, consumer groups, and the public were shut out. Rep. Dingell, the ranking member of the Energy and Commerce Committee, and I felt that Congress and the public had the right to know whether and to what extent the task force's energy recommendations may have been influenced by well-connected outside parties. Accordingly, we asked GAO to obtain some basic information on the energy task force's operations, such as who was present at each meeting of the task force, who were the professional staff, who did the Vice President and task force staff meet with, and what costs were incurred as part of the process. We did not request, and GAO did not seek, information on internal communications.

From the start, the White House assumed a hostile and uncompromising position, arguing that GAO's investigation ''would unconstitutionally interfere with the functioning of the Executive Branch.'' Stand-offs between Congress and the White House are not new, of course. Typically, they are resolved through hard bargaining and compromise. But the White House made clear that it wasn't willing to bargain or to compromise. Even when GAO voluntarily scaled back its request—dropping its request for minutes and notes—the Vice President's office was intransigent.

The White House's contempt for legitimate congressional requests for information was apparent even in the one area in which it conceded GAO's authority. The Vice President acknowledged that GAO was entitled to review the costs associated with the task force. However, the only information he provided to GAO about costs were 77 pages of random documents. Some of the pages consisted of simply numbers or dollar amounts without an explanation of what the money was for; other pages consisted only of a drawing of cellular or desk phones. Without an explanation—which the Administration refused to provide, of course the information was utterly useless.

The statutes governing GAO's authority spell out an elaborate process which the agency must follow before initiating any litigation against the Executive Branch. The statute even gives the White House authority to block litigation by certifying that disclosure ''reasonably could be expected to impair substantially the operations of the Government.''

In this case, GAO followed the letter and the spirit of that statute, even giving the White House an opportunity to file a certification. But the White House position was that GAO had no right even to ask for documents. Faced with an Administration that had no interest in reaching an accommodation, GAO was left with a stark choice: GAO could drop the matter, effectively conceding the White House's position that it was immune from oversight, or it could invoke its statutory authority to sue the Executive Branch. Reluctantly, on February 22, 2002, GAO filed its first-ever suit against the Executive Branch to obtain access to information.

It's not hard to figure out why the White House was so eager to pick a fight with GAO. After all, GAO provides the muscle for Congress' oversight function. Over the past century, Congress has increasingly turned to GAO to monitor and oversee an Executive Branch that has ballooned in size and strength. Moreover, because it has earned a reputation for fairness and independence, GAO is particularly threatening to an Administration that doesn't want to be challenged on any front.

GAO's effort failed at the trial level. In December, the district court in the case issued a sweeping decision in favor of the Bush Administration, ruling that GAO has no standing to sue the Executive Branch. The judge who wrote the decision was a recent Bush appointee who served as a deputy to Ken Starr during the independent counsel investigation of the Clinton Administration. The judge's reasoning contorted the law, and it ignored both Supreme Court and appellate court precedent recognizing GAO's right to use the courts to enforce its statutory rights to information.

This brings us to last week. Before deciding whether to pursue an appeal, the Comptroller General consulted with congressional leaders.